

REMARKS

In this response, claim 1 has been amended. Claims 1-8 are currently pending in the application, of which claims 1, 5 and 8 are independent claims. The Office Action indicates that claims 5, 6 and 8 are allowed.

Entry of this amendment is respectfully requested since it places this application in condition for allowance. No new matters are believed to be added in this response although claim 1 has been amended for clarify the difference between the claimed invention and the cited reference. In view of the following Remarks, Applicants respectfully request reconsideration and timely withdrawal of the pending rejections for the reasons discussed below.

Rejections Under 35 U.S.C. §103

Claims 1-4 and 7 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U. S. Patent No. 6,469,764 issued to Kim, *et al.* (“Kim”). Applicants respectfully traverse this rejection for at least the following reasons.

In this response, claim 1 has been amended to clarify the difference between the claimed invention and Kim. Particularly, claim 1 has been amended to further recite “a common electrode formed on the insulating substrate or another substrate facing the insulating substrate”. It is believed that amended claim 1 now clearly states that *the claimed opaque shading film and the common electrode are two different elements of this invention*. In fact, using a common electrode as a shading film has never been disclosed or suggested in the specification.

In this regard, the Examiner stated “an opaque shading film 24 formed over the insulating substrate and covering a texture around the domain defining member” (Office Action, page 2). The counter electrode 24 (a.k.a. common electrode) is provided to form a liquid crystal

capacitance with the pixel electrode 25. Normally, a counter/common electrode is formed on a color filter substrate and overlaps the corresponding pixel electrode with liquid crystal therebetween. Also, as shown in Fig. 3 of Kim, it can be formed on the same substrate with the pixel electrode 25, which is known as an in-plane switching (IPS) mode LCD.

However, Kim fails to show an opaque shading film, which is neither the pixel electrode 25 nor the counter electrode 24, as recited in claim 1. It should be noted that claim 1 does *not* even remotely suggest that either the pixel electrode or the common electrode is the same element with the opaque shading film. Thus, it is submitted that Kim fails to disclose or suggest the claimed “opaque shading film” which is neither the pixel electrode 25 nor the counter electrode 24.

For these reasons, it is submitted that claim 1 is patentable over Kim. Claims 2-4 and 7 are dependent from claim 1 and would be also patentable at least for the same reasons. Accordingly, Applicants respectfully request withdrawal of the 35 U.S.C. §103(a) rejection of claims 1-4 and 7.

CONCLUSION

Applicants believe that a full and complete response has been made to the pending Office Action and respectfully submit that all of the stated grounds for rejection have been overcome or rendered moot. Accordingly, Applicants respectfully submit that all pending claims are allowable and that the application is in condition for allowance.

Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact the Applicants' undersigned representative at the number below to expedite prosecution.

Prompt and favorable consideration of this Reply is respectfully requested.

Respectfully submitted,



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